

Notice of Allowability

Application No.

10/810,504

Examiner

Hargobind S. Sawhney

Applicant(s)

KRUPA ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/14/06.
2. ☒ The allowed claim(s) is/are 38-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>8/11/06</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>4/8/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

1. The Request for Continued Examination (RCE) and the amendment filed on April 14, 2006 have been entered. According to the amendment claims 1-37 have been canceled, and new claims 38-61 have been added.

2. On August 11, 2006, the examiner and the attorney, Ms. Sandra A. Brockman-Lee, discussed the amended claims 38 and 50 in light of the prior art Kazakevich (US Patent No.; 6,921,920 B2), which was one of the prior art used for examination of the application. The examiner indicated that the limitation "a light emitting region" needs to be associated with the semiconductor chip, rather than "a high-powered solid state light-emitting device". The examiner suggested that the limitation "a light emitting region" should be rephrased as -- a light emitting region of a semiconductor chip with a lens and coupling gel removed --. The above suggestion would reflect consistency with the submitted figures. In response, Ms. Brockman-Lee authorized an examiner's amendment requiring further amendment of each of the amended claims 38 and 50 detailed in Section 3 of this office action.

A copy of the interview summary is attached herewith.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

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Authorization for this examiner's amendment was given in a telephone interview with Ms. Sandra A. Brockman-Lee on August 9, 2006.

Claim 38 (Amended), lines 2 and 3, replace "without having an encasement on the light emitting region" with -- of a semiconductor chip with a lens and coupling gel removed -- before ";

Claim 38 (Amended), line 8, replace "being configured to match" with -- matching --;

Claim 38 (Amended), line 9, delete "the light emitting surface of " with --matching --; and replace "device" with -- region --;

Claim 50 (Amended), lines 2 and 3, replace "without having an encasement on the light emitting region" with -- of a semiconductor chip with a lens and coupling gel removed -- before ";

Claim 50 (Amended), line 8, replace "being configured to match" with -- matching --;

Claim 50 (Amended), line 9, delete "the light emitting surface of " with --matching --; and replace "device" with -- region --;

Allowable Subject Matter

4. Claims 38-61 are allowed.

The prior art of record, including, Matsubara (Japanese Patent No.: JP 5264871) and Kazakevich (US Patent No.: 6,921,920 B2), does not show or suggest the

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applicant's invention as claimed. Specifically, the prior art of record does not disclose an illumination device combining:

- a light emitting region of a semiconductor chip with a lens and coupling gel removed recited in each of the amended independent claims 1 and 50;
and
- a fiber optic light guide having its light receiving end matching the size and shape of the light emitting region; and the light receiving end placed directly against the light emitting region as recited in each of the amended independent claims 1 and 50.

The above-indicated combination, including a light-receiving end of a fiber optic bundle abutted to a non-encased light-emitting region of a semiconductor chip, makes this invention unique.

Matsubara (Japanese Patent No.: JP 5264871) discloses an illuminating device including semiconductor chip place opposite the light-receiving end of a fiber optics bundle, wherein a gap exists between the light-emitting region of the semiconductor chip and the light- receiving region. Therefore, Matsubara (Japanese Patent No.: JP 5264871) does not meet the limitations of each of the amended independent claims 1 and 50.

Kazakevich ('920 B2) discloses an illuminating device including semiconductor chip having its light-emitting region encased in a silicone or gel material. Therefore, Kazakevich ('920 B2) does not meet the limitations of each of the amended independent claims 1 and 50.

Therefore, each of the amended independent claims 1 and 50 are allowed over prior art.

Claims 39-49 are allowed because of their dependency on base Claim 38.

Claims 51-61 are allowed because of their dependency on base Claim 50.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:4530 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS

8/11/06

A handwritten signature in black ink, appearing to read 'Sandra O'Shea', written in a cursive style.

Sandra O'Shea
Supervisory Patent Examiner
Technology Center 280